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FACSIMILE TRANSMITTAL

TO:

Name: Mail Stop AMENDMENT
Group Art Unit 3772/Examiner Michael Brown

Firm: U.S. Patent & Trademark Office

Fax No.: 571-273-8300

Subject: U.S. Patent Application No. 09/605,001

Gary Karlin Michelson

Filed: June 27, 2000

APPARATUS AND METHOD OF INSERTING

SPINAL IMPLANTS

Attorney Docket No. 101.0044-04000

Customer No. 22882

Confirmation No.: 5171

FROM:

Name: Thomas H. Martin, Esq.

Phone No.: 330-877-2277

No. of Pages (including this): 27

Date: September 16, 2008

Confirmation Copy to Follow: NO

Message:**CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that the attached Transmittal Form (in duplicate) and Reply to Notice of Non-Compliant Amendment with revised Claim Chart Under 37 C.F.R. § 41.202(a)(3) and revised Claim Chart Under 37 C.F.R. §§ 41.202(a)(5) and (6) are being facsimile transmitted to the U.S. Patent and Trademark Office on September 16, 2008.



Sandra L. Blackmon

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FORM PTO-1083

Attorney Docket No.: 101.0044-04000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Gary Karlin Michelson
Serial No.: 09/605,001
Filed: June 27, 2000
For: APPARATUS AND METHOD OF
INSERTING SPINAL IMPLANTS

Confirmation No.: 5171

Group Art Unit: 3772
Examiner: Michael A. BrownRECEIVED
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SEP 16 2008

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a Reply to the Notice of Non-Compliant Amendment dated September 12, 2008 in the above-identified application.

- ☒ No additional fee is required.
- ☐ Applicant hereby requests a ***-month extension of time to respond to the above office action.
- ☐ The total amount of \$***.00 to cover the above fees is to be charged to Deposit Account No. 50-3726.
- ☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-3726. **A copy of this sheet is enclosed.**
- ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,
MARTIN & FERRARO, LLP

Date: September 16, 2008

By: 
Thomas H. Martin
Registration No. 34,383

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Transmittal of Reply to OA.DOC

FORM PTO-1083

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Transmittal of Reply to OADOC